

**Before the
Federal Communications Commission
Washington, D.C. 20554**

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|--|---|----------------------|
| In the Matter of |) | |
| |) | |
| Amendment of Section 73.622(b), |) | MM Docket No. 03-230 |
| Table of Allotments, |) | RM-10816 |
| Digital Television Broadcast Stations. |) | |
| (Bloomington, Indiana) |) | |

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: April 20, 2004

Released: April 26, 2004

By the Chief, Video Division:

1. At the request of Tribune Broadcasting Holdings, Inc. (“Tribune”), licensee of station WTTV-TV, Bloomington, Indiana, the Commission has before it the Notice of Proposed Rule Making, 18 FCC Rcd 23035 (2003), proposing the substitution of DTV channel 48 for DTV channel 53 at Bloomington. Tribune filed comments reaffirming its expression of interest in the allotment of DTV channel 48. No other comments were received.

2. We believe the public interest would be served by adopting the channel substitution proposal since it will permit station WTTV-DT to operate on an in-core channel.¹ DTV channel 48 can be allotted to Bloomington, Indiana, as proposed, in compliance with the principle community coverage requirement of Section 73.625(a) at coordinates 39-24-27 N. and 86-08-52 W. Since the community of Bloomington is located within 400 kilometers of the U.S.-Canadian border, concurrence from the Canadian government has been obtained for this allotment. In addition, we find that this channel is acceptable under the 2 percent criterion for *de minimis* impact that is applied in evaluating requests for modification of initial DTV allotments under Section 73.623(c)(2) for Station WTTV-DT with the following specifications:

| <u>State & City</u> | <u>DTV Channel</u> | <u>DTV power (kW)</u> | <u>Antenna HAAT (m)</u> | <u>DTV Service Pop. (thous.)</u> |
|-------------------------|------------------------|---------------------------|-----------------------------|--------------------------------------|
| IN Bloomington | 48 | 840 | 357 | 1815 |

3. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective June 10, 2004, the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, IS AMENDED, with respect to the

¹ In its petition for rule making, Tribune stated that operating on an in-core channel would enable it to complete the build-out of its maximized DTV facilities sooner while reducing WTTV’s building expenses. Tribune also claimed that the use of DTV channel 48 would remove the potential to confuse or frustrate the public by eliminating the need to find WTTV-DT on another channel at the end of the transition.

community listed below, to read as follows:

| <u>City</u> | <u>Channel No.</u> |
|----------------------|--------------------|
| Bloomington, Indiana | *14, 27, 48, 56 |

4. IT IS FURTHER ORDERED, That within 45 days of the effective date of this *Order*, Tribune Broadcast Holdings, Inc. shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV Channel 48 in lieu of DTV Channel 53 for station WTTV-DT.

5. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

6. For further information concerning this proceeding, contact Pam Blumenthal, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman
Chief, Video Division
Media Bureau